

**BOARD OF PHYSICAL THERAPY  
MINUTES**

DATE: February 13, 2009

TIME: 9:00 a.m. C.D.T

LOCATION: 227 French Landing Drive  
Heritage Place, Metro Center  
Ground Floor, Iris Conference Room  
Nashville, TN 37243

MEMBERS PRESENT: Brigina T. Wilkerson, PT, Chair  
Lisa C. Fortner, PTA, Secretary  
Michael L. Voight, PT  
Minty R. Ballard, Consumer Member

MEMBER (s) ABSENT: J. Randy Walker, PT

STAFF PRESENT: Marva Swann, Board Director  
Karen Robinson, Board Administrator  
Diona Layden, Attorney, Board Attorney  
Libby Miller, Health Related Boards Director  
Juanita Stone, Bureau of Investigations Disciplinary Coordinator

GUESTS: Estie Harris, Tennessee Physical Therapy Association  
Mike Harkreader, Director Tennessee Professional Assistance Program  
Hal Henninger, Star Physical Therapy

With a quorum being present, Ms. Wilkerson, called the meeting to order at 9:10 a. m.

**Conflict Of Interest**

Diona Layden presented and advised Board members of their responsibilities under the Conflict of Interest Policy. They were asked to read and sign the policy if they had not previously done so.

**Office of General Counsel Report**

Ms. Layden presented the following OGC report:

**Rules**

Rules relating to PTA references, continued competency, titles, and conditions (07-0467: Tenn. Comp. R. & Regs. 1150-1-.02, .03, .04, .10, .12 and .15) have been sent to the Attorney General's Office for review.

## Litigation

The Office of General Counsel currently has five (5) open cases pertaining to the Board of Physical Therapy.

## **Tennessee Professional Assistance Program Report and Contract Renewal**

### Report

Mike Harkreader, Director, of the Tennessee Professional Assistance Program (TNPAP), presented the report. This report represents the statistics for the period of July 1, 2008 thru December 31, 2008. Four (4) PT 's and three (3) PTA's signed monitoring agreements. There were two (2) referrals received both of which were PTA's. Sources of the referrals were one (1) self referral and one (1) from a treatment center. Reasons for referral were for history of arrest/illegal drug use/DUI and for substance abuse/dependence. One (1) PTA was discharged and reported to the Department of Health for refusing services.

### TNPAP Contract

Mr. Harkreader gave an overview of the operation of TNPAP from a practitioner's initial contact, evaluation, treatment (if necessary), and completion. After discussion, Dr. Voight made a motion seconded by Ms. Fortner to renew the TNPAP contract at its present cost. The motion carried.

## **Investigation and Disciplinary Reports**

Juanita Stone, Disciplinary Coordinator for the Bureau of Investigations (BIV), presented the PT and PTA investigative and disciplinary reports. The report included the number of complaints received and processed since the first of the year and the list of licensees who are being monitored for compliance with Board orders.

## **Rulemaking Hearing Discussion**

Ms. Layden presented the proposed rulemaking hearing to amend the following rules:

1. 1150-1-.01 Definitions
2. 1150-1-.02 (2) (b) (d) Scope of Practice and Supervision
3. 1150-1-.04 (4) (a) (b) Qualification for Licensure
4. 1150-1-.08 (9) Examinations
5. 1150-1-.12 (3), (5) (a) (b) (h) (k) (1), (6) (b) (e) (f) (g), (10) Continuing Competence

After review and discussion of the packet, the statements on the Economic Impact and the Regulatory Flexibility Analysis Impact on small businesses were reviewed. Dr. Voight made a motion seconded by Ms. Fortner to accept the amendments for rulemaking as well as the Economic Impact and Regulatory Flexibility Impact statements on small businesses. The motion carried. The goal will be to hold the rulemaking hearing in May.

The Board would like a future discussion of a possible revision of the rules for qualifications and procedures for more clarification.

### **Letter of Reprimand**

Ms. Layden presented a Letter of Reprimand for Kenneth William Chatman, PT, as a consequence of disciplinary action taken by the Kentucky Board of Physical Therapy for his failure to complete the required number of continuing education hours.

Lisa Fortner made a motion seconded by Ms. Ballard to accept the Letter of Reprimand as presented. The motion carried.

### **Approval of Minutes**

Dr. Voight made a motion that was seconded by Ms. Fortner to approve the November 14, 2008 board meeting minutes as presented. The motion carried.

### **Federation of State Boards of Physical Therapy Contract**

Dr. Voight made a motion seconded by Ms. Ballard to approve a new contract with the FSBPT for the administration of the examination at no cost other than to the applicants. The motion carried.

### **Topics of Discussion**

- A. Initial Period of Licensure as it relates to Rule 1150-1-.12 Continuing Competence— Hal Henninger of Star Physical Therapy addressed the Board requesting an interpretation of initial licensure period as it relates to the continuing education requirement for new licensees. Licenses are granted for first time licensees for a period of no less than ten (10) months and no greater than thirty-six (36) months duration in order to establish the two year biennial renewal cycle of odd or even year based on the month and year of the individual's birth. This constitutes their initial period of licensure. The rule pertaining to continuing education for physical therapy is Rule 1150-1-.12 (2). Dr. Voight made a motion seconded by Ms. Fortner to interpret this rule to mean that new licensees have until the date of their first renewal to have obtained four (4) hours of ethics and jurisprudence. The motion carried.

Dr. Voight proposed that the Board consider amending the rules to require applicants to take an ethics and jurisprudence exam at the time of initial licensure. He will research as to how other states with this requirement are implementing it and present the data at the next Board meeting.

- B. Indiana's Digital Certified Licensure Verification Letter—The State of Indiana is changing the method it uses to verify licensure for Indiana practitioners. The new procedure will allow the applicant to request a digitally certified certification letter and license status information that they can forward to the licensing board. The board will receive a pdf file with two pages—the letter and the status page. Both will have a US Postmark to verify authenticity as of the date and time it shows. There will also be a web link in the letter to

allow the board to verify that the file is authentic, digitally signed, and has not been modified. After discussion, Ms. Fortner made a motion seconded by Dr. Voight to accept Indiana's digital certification as long as it is confirmed as coming directly from Indiana's board. The motion carried.

- C. Continuing Education Course Approval—Deaconess HomeCare and their parent company Critical Homecare Solutions, Inc submitted a course for approval entitled "Ethics in Healthcare: A Multidisciplinary Review For Healthcare Professionals." Dr. Voight made a motion seconded by Ms. Fortner to defer a decision on this course until it could be thoroughly reviewed by Ms. Wilkerson. The motion carried.

### **Remediation**

Dr. Voight made a motion that was seconded by Ms. Fortner to approve the remediation plans reviewed by Board consultant, Alan Meade. The plans were for the following applicants:

- A. Andrea L. Castleman, PTA
- B. Sh'Voyne E. Claybon, PT
- C. Walter W. Harton, PT
- D. Amanda S. Harvey, PTA
- E. Anne C. L. Noble PT
- F. Homer B. Pique, PT
- G. Morgan E. Williams, PT

The motion carried.

### **Applicant File Review**

- A. Stacy A. Hise—Ms. Hise appeared before the Board seeking approval to take the examination because of having been terminated from employment for violation of the HIPAA policy while working as a physical therapy technician. After interview and discussion by the Board, Dr. Voight made a motion seconded by Ms. Fortner to allow Ms. Hise to take the examination. The motion carried.
- B. Deborah A. Ellison—Ms. Ellison appeared before the Board seeking to reinstate her PT license which expired 10/31/04. After discussion, Ms Fortner made a motion seconded by Dr. Voight to issue Ms Ellison a provisional license of 12 months duration pursuant to rule 1150-1.10 (2). The motion carried.
- C. Rebecca J. Compass—Ms. Compass' file was presented to the Board for reinstatement of her PTA license. Verification of her Kentucky license shows discipline by the Kentucky Board of Physical Therapy for failure to obtain required continuing education credits. Ms. Compass has met all conditions required by Kentucky and has submitted all requirements for reinstatement of her license in Tennessee. After discussion, Dr. Voight made a motion seconded by Ms. Fortner to reinstate Ms Compass' PTA license. The motion carried.

- D. Silpa Ippagunta—Ms. Ippagunta is a foreign-trained applicant whose file was presented to the Board to be approved for a provisional license through reciprocity to complete 480 hours of supervised clinical practice. She is currently licensed in the states of New York and Indiana. After discussion, a motion was made by Ms. Ballard and seconded by Ms. Fortner to approve Ms. Ippagunta for a provisional license with the condition that a course of Tennessee ethics and jurisprudence be completed during the same timeframe as the duration of the license. The motion carried. After advise from the Board's attorney, Ms. Layton, to delete the requirement of an ethics and jurisprudence course, Ms. Ballard made an amended motion seconded by Ms. Fortner to approve Ms. Ippagunta for a provisional license to complete 480 hours of supervised clinical practice without additional conditions. The motion carried.
- E. Drexey W. Smith—Ms. Smith's file was presented to the Board for reinstatement of her PT license after its having been retired since 7/2/01. Ms. Smith has an active license in the state of Florida. After discussion, a motion was made by Dr. Voight and seconded by Ms. Fortner to approve Ms. Smith for licensure by reciprocity upon the condition that the administrative office receives verification of the good standing of her Florida license and proof that she has taken and passed a course in Tennessee ethics and jurisprudence. The motion passed. After advise from the Board's attorney, Ms. Layton to delete the requirement of an ethics and jurisprudence course, Dr. Voight made an amended motion seconded by Ms. Fortner to approve Ms. Smith for licensure by reciprocity pending receipt of verification of the good standing of her Florida license without additional conditions. The motion carried.
- F. Tonia West—Correspondence from Ms. West was presented to the Board in which she made a request for an extension of the timeframe to obtain required continuing education. Dr. Voight made a motion seconded by Ms. Fortner to give Ms. Smith until the time of her next licensure renewal to obtain past required continuing education pursuant to rule 1150-1-.12 (10) with the clarification that the ce's obtained can not be used for current ce requirements. The motion carried.
- G. Anne M. Smith—Ms. Smith's file was presented to the Board for reinstatement of her PT license which had been retired since 9/30/04. She does not hold a current license in any other state. She has submitted all requirements including ethics and jurisprudence continuing education. A motion was made by Ms. Fortner seconded by Dr. Voight to approve Ms. Smith for a provisional license of 12 months duration. The motion carried.

### **Fingerprints for Criminal Background Checks**

Pursuant to the Department of Health's policy all applicants who reside in the State of Tennessee must have their fingerprints scanned electronically for a criminal background check at a Cogent facility. Without the Department's knowledge, the Tennessee Bureau of Investigation had been initiating a name based background search when the scanned fingerprints sent to them by Cogent were unreadable. As a result, three PT and four PTA applicants were licensed by a name based search rather than by an electronic scan of their fingerprints. This search did not reveal any negative findings on these applicants. After discussion, Ms. Ballard made a motion seconded by Ms. Fortner to accept the name based search on these applicants. The motion carried.

The TBI has since revised its policy to adhere to the Department's policy when processing fingerprints on applicants for health care professions; however, there are times when an individual's fingerprints can never be read for reasons such as the age of the person, occupations working with chemicals, bricks, sewing, etc. When this occurs the Tennessee Bureau of Investigation provides a name based search for the individual and will on the applicant's behalf submit a letter of explanation, a copy of which was presented for the Board's review.

The Board postponed adopting a policy for permanently unreadable prints until other options to the name based search such as a retinal scan, etc. could be explored.

### **Ratification of Initial Determinations**

Dr. Voight made a motion seconded by Ms. Fortner to approve the lists for initial licenses and reinstated licenses for physical therapists and physical therapy assistants . The motion carried. (Attachments 1 & 2)

### **Closed Files**

Dr. Voight made a motion seconded by Ms. Fortner to approve the list of licensure files closed due to abandonment. The motion carried. (Attachment 3)

### **Financial Report**

The financial report for FY 2008 was presented with a total revenue of \$203,407.00 and expenditures of \$322,946.00.

### **Administrator's Report**

Karen Robinson presented the following data from November 2008 through January, 2009:

### **STATISTICAL REPORTS**

<b>Physical Therapists</b>	Nov, 08	Dec, 08	Jan, 09
Licensed	8	10	17
Provisional	1	0	1
Renewals Mailed	168	136	182
<u>Failed to Renew</u>	3	4	5
<u>Vol-Retired</u>	1	8	1
<b>Physical Therapist Assistants</b>	Nov, 08.	Dec, 08.	Jan, 09
Licensed	9	4	10
Provisional	0	0	0
Renewals Mailed	99	105	107
Failed to Renew	0	3	12
Vol -Retired	2	0	0

## **CONTINUING EDUCATION AUDIT STATUS REPORT**

<b>Physical Therapy</b>	<b>Jan 2008 thru Oct 2008</b>	<b>Physical Therapy Assistant</b>
<b>Licenses Audited</b>	<b>71</b>	<b>43</b>
<b>Licenses Compliant</b>	<b>62</b>	<b>38</b>
<b>Licenses Non Compliant</b>	<b>9</b>	<b>5</b>

### **Newsletter**

The newsletter for the Board of Physical Therapy may be found on its website at <http://health.state.tn.us/boards/PT/applications.htm> .

### **Election of Officers**

Dr. Voight made a motion seconded by Ms. Ballard to reelect the current officers for 2009, The motion carried. Brigina Wilkerson will remain Chair and Lisa Fortner will remain Secretary of the Board.

### **2010 Board Meeting Dates**

February 12, 2010  
May 14, 2010  
August 20, 2010  
November 19, 2010

### **Adjournment**

There being no further business, the meeting was adjourned at 2:45 p.m.

**These minutes were ratified at the May 15, 2009 meeting.**

**ATTACHMENT 1**

**PHYSICAL THERAPISTS**

**NOVEMBER 7, 2008--FEBRUARY 3, 2009**

<b>NAME</b>	<b>NEW LICENSES</b>
<b>NAME</b>	<b>LICENSE NUMBER</b>
Geraldine P. Brunner-Lam	8242
Lindsay Erin Buras	8263
Evan Bradford Burchell	8257
Kolleen Tracy Burr	8240
Bonnie Kay Carr	8229
Barbara Ann Chandler	8233
Africa Cook	8258
Carrol Shane Fortenberry	8246
Amber Widmyer Garcia	8218
Joshua Allen Gibson	8245
Shirley Kay Gogliotti	8248
Theresa Ann Knoll	8149
Laura Therese Kohler	8223
Deanna Elizabeth Lady	8239
Janna Louise Lawless	8250
Bridget Anne Lowes	8244
Christopher John Mayott	8264
Kathleen Jo McGinnis	8271
Erin E. McGuire	8253
Faye Mitchell	8224
Teasha Denae Moody	8236
Rachelle Amanda Peitscher	8053
Danielle Janean Schulte	8201
Jeffrey Alan Sweet	8260
Timothy Allen Vance	8241
Elizabeth Ashley Waller	7917

**REINSTATEMENTS**

John D Inman	4680
Wesley B. Inso	2389
Karlene M. StClair	4892



**ATTACHMENT 2**

**PHYSICAL THERAPY ASSISTANTS**

**NOVEMBER 7, 2008--FEBRUARY 3, 2009**

<b>NAME</b>	<b>NEW LICENSES</b>
<b>NAME</b>	<b>LICENSE NUMBER</b>
Sarah Nicole Anderson	4471
Mark Robert Berg	4485
Jason Owen Blair	4484
Charles David Jr.	4483
Joan Alice Gardner	4461
Kirsten Michelle Lambert	4467
Kristin Marie Lankford	4290
Deena M. Losano	4475
Jennifer Noelle Massengill	4468
Angela Michelle Maxwell	4186
Tammy H. Morton	4454
Jessica Cher'Ron New	4491
Jerry Lyn Rolen	4477
Rachel Nell Sanders	4487
Matthew Phillip Schenk	4488
Jana C. Smith	4481
Lisa Galloway Williams	4482
Rachel Lauren Williams	4383

**REINSTATEMENTS**

Rebecca J. Copass	2118
Ranie J. Ford	496
Tonya Rene Lahssini	3364
Jeffrey Allen Mohr	2483

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**ATTACHMENT 3**  
**CLOSED FILES**

Shelby, Vanessa Dawn	4049	7/3/2006
Skinner, alisia T.	3548	11/15/2007
Smith, Wilma Jean	3887	6/12/2001
Summitt, Terra Jorene	3476	5/14/2003
Thomas, Sindy Lakinya	4132	2/23/2004

# ATTACHMENT 3

## CLOSED FILES

### Physical Therapists

Name	File Number	Application Date
Angub, Sheila P.	7813	3/23/2007
Cameron, Lowilla Letegio	7880	5/25/2007
Dawkins, Sherita G.	7958	8/6/2007
Digiovanna, Vincent E.	7997	10/25/2007
Dilag, BJ A.L.	7895	6/5/2007
Dow, Katherine Elizabeth	7964	8/13/2007
Elpuz, Cheril Carreon	7983	9/18/2007
Filoteo, Raul Yu	7823	4/11/2007
Hatten, Marie Wall	7849	4/31/2007
Jones, Liliya Victorovna	7884	5/29/2007
Jones, Tennisha Lashay	7653	6/30/2006
Jumagdao, Othilia Tenorio	7748	11/27/2006
Korgan, Stephanie Nichole	7827	4/12/2007
Krol, Steven P.	8005	11/21/2007
Leshner, Johathan David	7819	3/29/2007
Nowak, Amanda Marie	7768	12/27/2006
Robbins, Channon Leigh	5734	5/29/2007
Robertson, Rebecca Renee	7989	10/11/2007
Stargin, Nicole Lashaun	6942	1/18/2003
Townsend, Jimmy Tremayne	7655	6/30/2006
Walker, Elizabeth Ashley	7917	6/22/2007

### Physical Therapy Assistants

Allison, Martin Timothy	3294	6/10/2005
Armstrong, Heather Dawn	4213	6/4/2007
Avance, Lakesha Lasheul	4278	10/4/2007
Chase, Jennifer Sha'ree	4081	8/22/2006
Dixon, Stephanie Eileen	4054	7/7/2006
Engle, Jessica Lee	4056	7/12/2006
Martin, Elizabeth Jean	4099	10/19/2006
Mercaldi, Richard F.	4067	7/31/2006
Nacario, Judeah Ibarreta	3657	1/3/2004
Nunley, Chandra Latrice	3891	9/21/2005
Potter, Ryan Earl	3821	5/26/2005
Reed, Carrie Tyann	3655	6/25/2004
Rivera, Jaclyn M.	3712	9/28/2004
Roberts, Jessica Lea	4040	6/19/2006
Rodgers, Sharon E.	3993	5/11/2006
Schroth, Amy Lynn	4094	10/5/2006